

# ALTA/ACSM LAND TITLE SURVEY

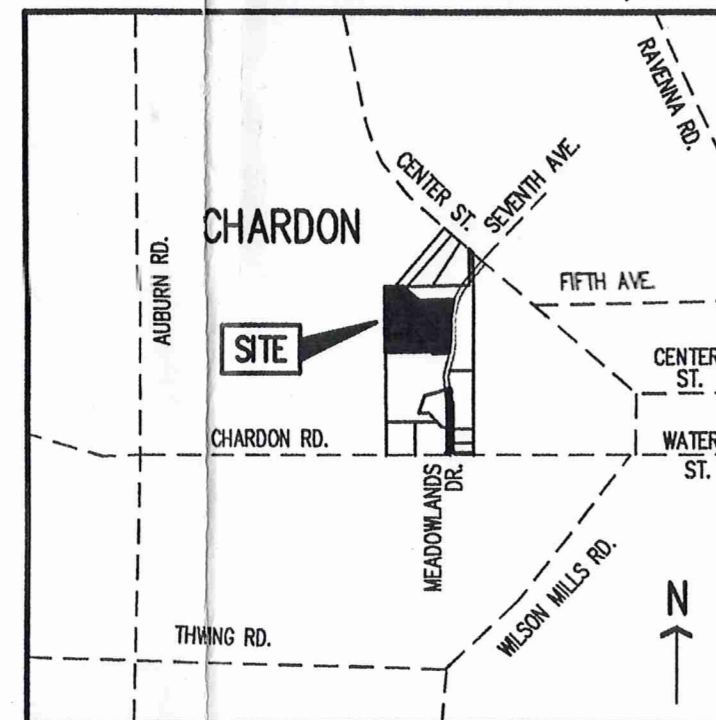
## CITY OF CHARDON, COUNTY OF GEauga

Situated in the City of Chardon, County of Geauga, and State of Ohio, and known as being a part of Original Lot Number 153.

PREPARED FOR AND AT THE INSTANCE OF

**LAWYERS TITLE INSURANCE CORPORATION,**  
a Virginia corporation  
**CHARDON DE BARTOLO, LLC**  
a Delaware limited liability company  
**WAL-MART REAL ESTATE BUSINESS TRUST,**  
a Delaware statutory trust

DATE OF PHOTOGRAPHY: MARCH 23, 2000

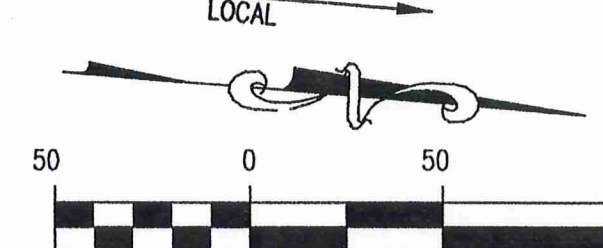


VICINITY MAP

### STATE PLANE REFERENCE

C.R.G.S. MON. N 697070.4956 E 2325280.1493  
MB 1069  
C.R.G.S. MON. N 698094.2272 E 2335539.9057  
MB 3098

### STATE PLANE LOCAL



SCALE IN FEET 1" = 50 FEET

OCTOBER 24, 2002  
REV OCT. 29, 2002  
REV. JAN., 2003  
REV. SEPT., 2003  
REV. NOV. 26, 2003  
REV. MAY 11, 2004  
REV. JUNE 07, 2004  
REV. JUNE 28, 2004  
REV. JULY 15, 2004  
REV. JULY 23, 2004

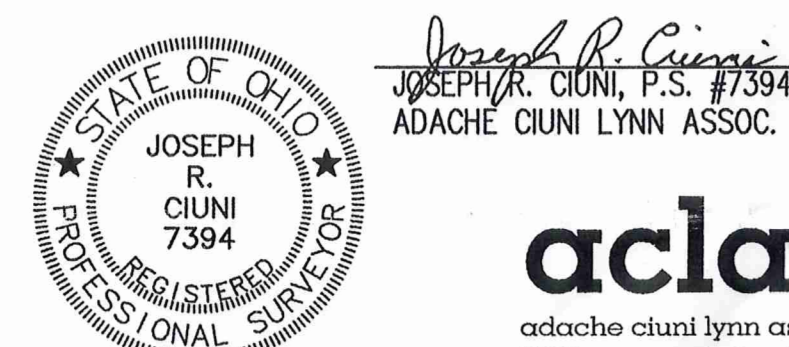
ZONING CLASSIFICATION	= C-3 (COMMERCIAL)
MINIMUM LOT WIDTH	= 100 FEET
MINIMUM LOT AREA	= 20,000 SQUARE FEET
MINIMUM FRONT YARD SETBACK	= 30 FEET
MINIMUM REAR YARD SETBACK	= 20 FEET
MINIMUM SIDE YARD SETBACK	= 15 FEET
MAXIMUM % OF LOT COVERAGE	= 40 PERCENT
MAXIMUM BUILDING HEIGHT	= 45 FEET

THE UNDERSIGNED HEREBY CERTIFIES TO

LAWYERS TITLE INSURANCE COMPANY, A Virginia corporation, CHARDON DE BARTOLO, LLC, a Delaware limited liability company, AND WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust, AND THE SURVEY ON WHICH IT WAS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 1999, AND INCLUDES ITEMS 1-6, 7A, 8, 10, 11b, 13, 15 AND 17 OF TABLE A THEREOF, AND (II) PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION OF AN URBAN SURVEY.

I FURTHER CERTIFY THAT THIS MAP AND THE SURVEY ON WHICH IT WAS BASED MEETS THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO AS SET FORTH IN OHIO ADMINISTRATIVE CODE, CHAPTER 4733-37; THAT THIS MAP, THE SURVEY ON WHICH IT WAS BASED AND THE LEGAL DESCRIPTION SHOWN HEREON MEETS THE REQUIREMENTS, IF ANY, AS ESTABLISHED BY THE GEUGA COUNTY TRANSFER AND CONVEYANCE STANDARDS.

I ALSO CERTIFY THAT THE PROPERTY SHOWN ON THIS MAP ABUTS A FUTURE PUBLICLY DEDICATED STREET (MEADOWLANDS DRIVE EXTENSION) AND THERE WILL BE VEHICULAR INGRESS AND EGRESS TO AND FROM THE PROPERTY; THAT THE PROPERTY DESCRIPTION IS THE SAME PROPERTY SPECIFICALLY DESCRIBED IN LAWYERS TITLE INSURANCE COMPANY'S AMENDED TITLE COMMITMENT NO. 87374E, DATED MAY 28, 2004, THAT EXCEPT AS SHOWN THE PREMISES DOES NOT SERVE ANY OTHER ADJOINING PROPERTY FOR DRAINAGE, INGRESS, EGRESS OR ANY OTHER PURPOSE; THAT THE PREMISES IS LOCATED IN FLOOD ZONE C (AREA OF MINIMAL FLOODING) AS SHOWN BY COMMUNITY PANEL NUMBER 390191 0005 C, EFFECTIVE DATE 01/04/1985; AND THAT EXISTING UTILITIES WILL BE AVAILABLE TO THE PROPERTY UPON COMPLETION OF THE FUTURE MEADOWLANDS DRIVE EXTENSION.



**acla** PREPARED BY:

adache ciuni lynn associates inc.  
5595 transportation boulevard, cleveland, ohio 44125  
PHONE: (216) 518-5544 FAX: (216) 518-5545 EMAIL: SURVEY@ACLA.NET

EXCEPTIONS PER LAWYERS TITLE INSURANCE CORPORATION AMENDED TITLE COMMITMENT NO. 87374E, SCHEDULE B - SECTION 2

- (8) DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CENTER SIX CORPORATION, DATED MAY 15, 1988, AND RECORDED IN OFFICIAL RECORD/VOLUME 809, PAGE 86, G.C.D.R. (DOES NOT AFFECT TRACT 1 PROPERTY) SEE AMENDED EXCEPTION NO. 9 BELOW
- (9) AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CENTER SIX CORPORATION IN DEED VOL. 1634 PAGE 82, G.C.D.R. (DOES NOT AFFECT TRACT 1 PROPERTY)
- (10) EASEMENT BY CENTER SIX CORPORATION TO DE BARTOLO NORTH, LLC, DATED JUNE 4, 2003 RECORDED IN OFFICIAL RECORD/VOLUME 1648, PAGE 288, G.C.D.R. (DETENTION BASIN EASEMENT - DOES NOT AFFECT TRACT 1 PROPERTY)
- (11) AFFIDAVIT JOINT SIGN AGREEMENT AMONG DE BARTOLO NORTH, LLC, AND CENTER SIX CORPORATION, DATED JUNE 4, 2003, RECORDED IN OFFICIAL RECORD/VOLUME 1648, PAGE 296, G.C.D.R. (SIGN EASEMENT - DOES NOT AFFECT TRACT 1 PROPERTY)

BENCHMARK NO. 1 :  
TOP OF BOLT ON FIRST HYDRANT NORTH OF FIFTH STREET ON EAST SIDE OF CENTER STREET IN FRONT OF HEINEN'S SUPERMARKET STORE.  
ELEVATION : 1288.92

BENCHMARK NO. 2 :  
"I" IN MUELLER ON HYDRANT 700 FEET ± NORTH OF WATER TOWER  
ELEVATION : 1326.13

**BASIS OF BEARING**  
MINOR SUBDIVISION PREPARED BY FORESIGHT ENGINEERING GROUP, ENGINEERS & SURVEYORS, 320 CENTER STREET, UNIT F, CHARDON, OHIO, 44024, TEL. (440) 286-1010, FAX (440) 286-1034, AS DATED AUGUST 23, 2001, AND RECORDED IN PLAT VOLUME 34, PAGE 114 OF GEUGA COUNTY RECORDS.

### UTILITIES & OFFICIALS

SANITARY SEWER, STORM SEWER & WATER MAIN		CITY OF CHARDON ENGINEER	
THE CITY OF CHARDON GAYLAND MOORE - DIRECTOR OF PUBLIC SERVICE 111 WATER STREET CHARDON, OHIO 44024-1201 TEL. (440) 286-2655		OW COURTYNE ASSOCIATES DOUG COURTYNE - CITY ENGINEER 771 BETA DRIVE MAYFIELD VILLAGE, OHIO 44143 TEL. (440) 449-4005	
CABLE	ELECTRIC	GAS	TELEPHONE
ADELPHI CABLE BURY MC DANIELS 8385 BAVARIA ROAD MAZZONA, OHIO 44027 TEL. (330) 963-3620 X101	THE ILLUMINATING COMPANY RALPH BELLIGATTI 7757 AUBURN ROAD, UNIT 23 CLEVELAND, OHIO 44107 TEL. (440) 350-7741	DOMINION EAST OHIO GARY ESASKY 1201 E. 50TH STREET CLEVELAND, OHIO 44101-0759 TEL. (216) 742-8124	ALTEL CORPORATION JOHN HOBBY 205 S. HAMBURG ST. CHARDON, OHIO 44024 TEL. (440) 285-5474
O.D.I.T.		CALL OHIO UTILITIES PROTECTION SERVICE TWO (2) WORKING DAYS BEFORE YOU DIG TOLL FREE NO. 1-800-362-2764 NON-MEMBERS MUST BE CALLED DIRECTLY	
DISTRICT 12: 5500 TRANSPORTATION BLVD. GARFIELD HEIGHTS, OHIO 44125 TEL. 216-581-2100 FAX 216-587-1730			

WATER FLOW INFORMATION:  
AS PER A.I.E. REPORT DATED 05/09/03, THE CURRENT AVAILABLE WATER SUPPLY FOR THE PROPOSED WALMART SUPERCENTER #2293-01 LOCATED AT 7TH AVENUE AND CENTER STREET IN CHARDON, OH, WITH A FINISH FLOOR ELEVATION (FF) OF 1335.7 FT., ANSL. REQUIRED FIRE SPRINKLER SUPPLY FOR THIS 173 PROTOTYPE IS 1600 GPM @ 47 PSIG AND 1270 GPM @ 42 PSIG. REQUIRED DOMESTIC WATER SUPPLY IS 117 GPM @ 42 PSIG.

Chardon De Bartolo, LLC  
a Delaware limited liability company  
Instrument No. 200400684933  
P. P. No. 10-047600  
2,537,182 sq.ft.  
58.2457 acres

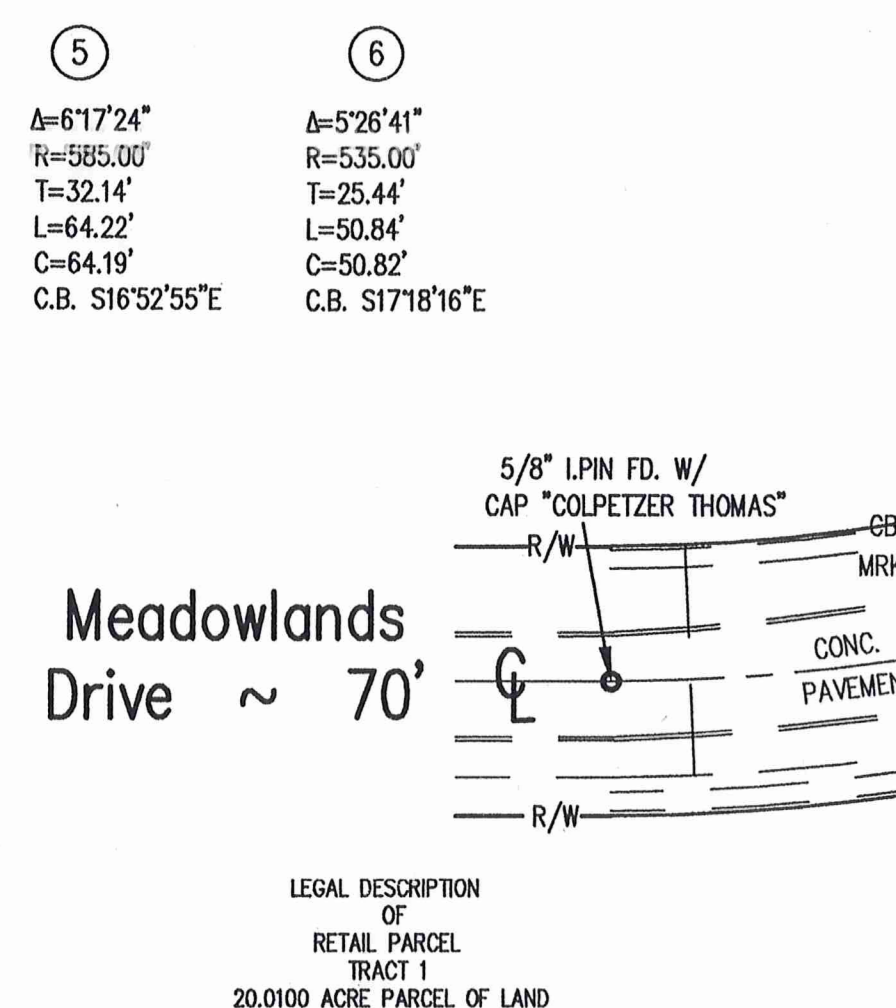
TRACT 1  
871,637 sq.ft.  
20.0100 acres CALC.

### SUMMARY

CHARDON DE BARTOLO, LLC	58.2457 acres
TRACT 1 PARCEL	- 20.0100 acres
RESIDUAL	38.2357 acres

### LEGEND

- EX. MONUMENT FD. AS NOTED
- EX. IRON PIN OR PIPE
- FD. AS NOTED
- "I" GALVANIZED PIN TO BE SET IN CONCRETE



Situated in the City of Chardon, County of Geauga, and State of Ohio, and known as being a part of Original Lot Number 153, and described as follows:

Beginning at a one inch iron pin found set in concrete at the northern terminus of the easterly line of Meadowlands Drive, 70 feet wide;

Thence South 69° 58' 23" West, a distance of 70.00 feet to a one inch iron pin found set in concrete at the northern terminus of the westerly line of Meadowlands Drive, 70 feet wide;

Thence North 20° 01' 37" West along the future westerly extension line of Meadowlands Drive, a distance of 25.00 feet to a point of curvature;

Thence continuing along said future westerly extension line, and along the arc of a curve deflecting to the right, and having a radius of 535.00 feet, a central angle of 37° 11' 04", a tangent of 179.97 feet, a chord of 341.15 feet which bears North 01° 28' 05" West, a distance of 347.21 feet to a point of reverse curvature;

Thence continuing along said future westerly extension line, and along the arc of a curve deflecting to the left, and having a radius of 955.00 feet, a central angle of 11° 21' 54", a tangent of 95.02 feet, a chord of 181.10 feet which bears North 11° 28' 30" East, a distance of 191.41 feet to a one inch galvanized pin to be set in concrete, and the Principal Place of Beginning;

Thence South 84° 38' 38" West, a distance of 252.71 feet to a one inch galvanized pin to be set in concrete, at an angle point;

Thence North 05° 21' 22" West, a distance of 22.01 feet to a one inch galvanized pin to be set in concrete, at an angle point;

Thence continuing along said future westerly extension line, and along the arc of a curve deflecting to the left, and having a radius of 835.00 feet, a central angle of 18° 3' 31", a tangent of 133.93 feet, a chord of 284.46 feet which bears South 04° 42' 20" West, a distance of 265.61 feet to a one inch galvanized pin to be set in concrete, at a point of tangency;

Thence South 04° 36' 25" East continuing along said future westerly extension, a distance of 353.43 feet to a one inch galvanized pin to be set in concrete, at a point of curvature;

Thence continuing along said future westerly extension line, and along the arc of a curve deflecting to the right, and having a radius of 965.00 feet, a central angle of 10° 25' 28", a tangent of 67.82 feet, a chord of 174.91 feet which bears South 00° 35' 34" West, a distance of 175.15 feet to the Principal Place of Beginning, and containing 20.0100 acres of land, be the same more or less.

LEGAL DESCRIPTION OF RETAIL PARCEL TRACT 1 20.0100 ACRE PARCEL OF LAND

LEGAL DESCRIPTION OF RETAIL PARCEL TRACT 1 20.0100 ACRE PARCEL OF LAND - CONTINUED

Thence North 04° 04' 35" East along the southerly line of land now or formerly owned by Carter Jones Lumber Company, and its northerly prolongation, a distance of 287.45 feet, to a one inch galvanized pin to be set in concrete, on the southerly line of land now or formerly owned by Chardon De Bartolo, LLC, as recorded in Volume 1697, Page 0660 of Geauga County Deed Records;

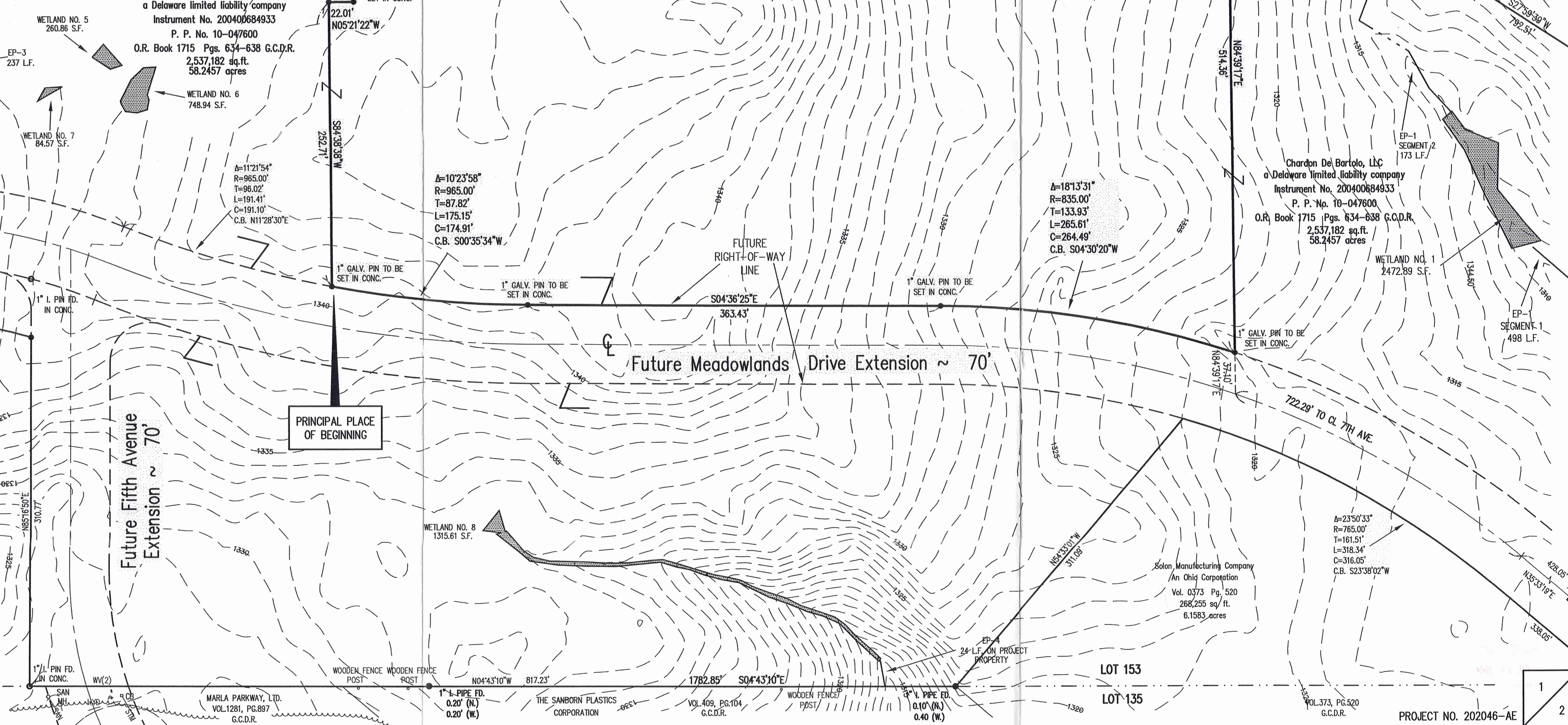
Thence South 54° 02' 00" East, a distance of 324.30 feet to a one inch galvanized pin to be set in concrete, at an angle point;

Thence North 04° 30' 17" East, a distance of 514.36 feet to a one inch galvanized pin to be set in concrete, at a point on a curve on the future westerly extension line of Meadowlands Drive, 70 feet wide, as aforementioned;

Thence along said future westerly extension line, and along the arc of a curve deflecting to the left, and having a radius of 835.00 feet, a central angle of 18° 3' 31", a tangent of 133.93 feet, a chord of 284.46 feet which bears South 04° 42' 20" West, a distance of 265.61 feet to a one inch galvanized pin to be set in concrete, at a point of tangency;

Thence South 04° 36' 25" East continuing along said future westerly extension, a distance of 353.43 feet to a one inch galvanized pin to be set in concrete, at a point of curvature;

Thence continuing along said future westerly extension line, and along the arc of a curve deflecting to the right, and having a radius of 965.00 feet, a central angle of 10° 25' 28", a tangent of 67.82 feet, a chord of 174.91 feet which bears South 00° 35' 34" West, a distance of 175.15 feet to the Principal Place of Beginning, and containing 20.0100 acres of land, be the same more or less.



CHC00030

DeBartolo  
(Wal-Mart)  
Picked up 7/29/04

**LEGAL DESCRIPTION  
OF  
RETAIL PARCEL  
TRACT 1  
20.0100 ACRE PARCEL OF LAND**

Situated in the City of Chardon, County of Geauga, and State of Ohio, and known as being a part of Original Lot Number 153, and described as follows:

Beginning at a one inch iron pin found set in concrete at the northerly terminus of the easterly line of Meadowlands Drive, 70 feet wide;

Thence South 69° 58' 23" West, a distance of 70.00 feet to a one inch iron pin found set in concrete at the northerly terminus of the westerly line of Meadowlands Drive, 70 feet wide;

Thence North 20° 01' 37" West along the future westerly extension line of Meadowlands Drive, a distance of 25.00 feet to a point of curvature;

Thence continuing along said future westerly extension line, and along the arc of a curve deflecting to the right, and having a radius of 535.00 feet, a central angle of 37° 11' 04", a tangent of 179.97 feet, a chord of 341.15 feet which bears North 01° 26' 05" West, a distance of 347.21 feet to a point of reverse curvature;

Thence continuing along said future westerly extension line, and along the arc of a curve deflecting to the left, and having a radius of 965.00 feet, a central angle of 11° 21' 54", a tangent of 96.02 feet, a chord of 191.10 feet which bears North 11° 28' 30" East, a distance of 191.41 feet to a one inch galvanized pin to be set in concrete, and the Principal Place of Beginning;

Thence South 84° 38' 38" West, a distance of 252.71 feet to a one inch galvanized pin to be set in concrete, at an angle point;

Thence North 05° 21' 22" West, a distance of 22.01 feet to a one inch galvanized pin to be set in concrete, at an angle point;

Thence South 84° 38' 38" West, a distance of 726.61 feet to a one inch galvanized pin to be set in concrete, on the easterly line of land now or formerly owned by Rhein Chemie Corporation, as recorded in Volume 1267, Page 343, and known as Sublot No. 7 in Parker Court Subdivision, as recorded in Volume 10, Page 61 of Geauga County Map Records;

Thence North 05° 13' 55" West along said easterly line of Rhein Chemie Corporation, in said Parker Court Subdivision, and its northwesterly prolongation, and along the easterly line of land now or formerly owned by The Village of Chardon, as recorded in Volume 515, Page 451, and along the easterly line of land now or formerly owned by Northwestern Land Co., Ltd., as recorded in Volume 1456, Page 1068 of Geauga County Deed Records, a distance of 987.32 feet to the southwesterly corner of land now or formerly owned by Carter Jones Lumber Company, as recorded in Volume 975, Page 810 of Geauga County Deed Records, which is referenced by a 5/8" iron pin found with cap, "C.T.", 0.16 feet (East), and 0.29 feet (South);

Legal Description Retail Parcel Tract 1  
Page 2

Thence North  $84^{\circ} 04' 35''$  East along the southerly line of land now or formerly owned by Carter Jones Lumber Company, and its northeasterly prolongation, a distance of 287.45 feet to a one inch galvanized pin to be set in concrete, on the southerly line of land now or formerly owned by Chardon DeBartolo, LLC., as recorded in Volume 1697, Page 0660 of Geauga County Deed Records;

Thence South  $54^{\circ} 02' 01''$  East, a distance of 324.30 feet to a one inch galvanized pin to be set in concrete, at an angle point;

Thence North  $84^{\circ} 39' 17''$  East, a distance of 514.36 feet to a one inch galvanized pin to be set in concrete, at a point on a curve on the future westerly extension line of Meadowlands Drive, 70 feet wide, as aforementioned;

Thence along said future westerly extension line, and along the arc of a curve deflecting to the left, and having a radius of 835.00 feet, a central angle of  $18^{\circ} 13' 31''$ , a tangent of 133.93 feet, a chord of 264.49 feet which bears South  $04^{\circ} 30' 20''$  West, a distance of 265.61 feet to a one inch galvanized pin to be set in concrete, at a point of tangency;

Thence South  $04^{\circ} 36' 25''$  East continuing along said future westerly line extension, a distance of 363.43 feet to a one inch galvanized pin to be set in concrete, at a point of curvature;

Thence continuing along said future westerly line extension, and along the arc of a curve deflecting to the right, and having a radius of 965.00 feet, a central angle of  $10^{\circ} 23' 58''$ , a tangent of 87.82 feet, a chord of 174.91 feet which bears South  $00^{\circ} 35' 34''$  West, a distance of 175.15 feet to the Principal Place of Beginning, and containing 20.0100 acres of land, be the same more or less, but subject to all legal highways and easements of record, according to a survey prepared by Joseph R. Ciuni, registered surveyor no. 7394, dated October 24, 2002.

Basis of Bearing is taken from Minor Subdivision Plat as recorded in Volume 34, Page 114 of Geauga County Map Records.

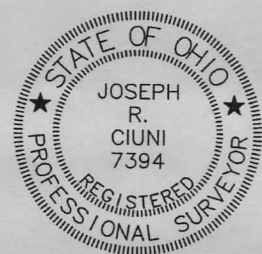
Legal Description Retail Parcel Tract 1  
Page 3

Deed of Record - Chardon Debartolo, LLC. 20.0100 Ac. out of Vol. 1715, Page 635-638

Prepared By:  
Adache Ciuni Lynn Associates, Inc.  
Project No.: 202046AE  
October 15, 2002  
Revised October 29, 2002  
Revised June 25, 2004  
Revised July 14, 2004

*Joseph R. Ciuni*  
\_\_\_\_\_  
JOSEPH R. CIUNI,  
REGISTERED SURVEYOR NO. 7394

*7/15/04*  
\_\_\_\_\_  
DATE



SURVEY PLAT & LEGAL DESCRIPTION  
APPROVED PER R.C. 315.251

*R.S.* \_\_\_\_\_ *7/28/04*  
OFFICE OF THE *Revised*  
GEAUGA COUNTY ENGINEER

